

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Jerome Asius et al.

Application No.: 10/809,349

Confirmation No.: 7560

Filed: March 26, 2004

Art Unit: 3738

For: IMPLANT FOR SUBCUTANEOUS OR
INTRADERMAL INJECTION

Examiner: P. B. Prebilic

INFORMATION DISCLOSURE STATEMENT (IDS)

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed more than three months after the U.S. filing date, OR more than three months after the date of entry of the national stage of a PCT application, AND after the mailing date of the first Office Action on the merits, whichever occurs first, but before the mailing date of a Final Office Action or Notice of Allowance (37 CFR 1.97(c)).

A summary/abstract translation of the non-English language references FR 2778847, JP 8507713 and DE 4235312 is enclosed. Also the relevance of DE 4235312 can be found in US Patent 5,725,881, which is an English language counterpart. The relevance of JP 8507713

can also be found in WO94/21299, previously filed.

In accordance with 37 CFR 1.98(a)(2)(ii), Applicant has not submitted copies of U.S. patents and U.S. patent applications. Also, a copy of Tom et al. is not being filed since it was cited in applicant's parent application which is being relied upon under 35 USC 120. Applicant submits herewith copies of foreign patents and non-patent literature in accordance with 37 CFR 1.98(a)(2).

A concise explanation of relevance of the items listed on form PTO/SB/08 is given for only non-English language listed items.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

Please charge our Deposit Account No. 22-0185 in the amount of \$180.00 covering the fee set forth in 37 CFR 1.17(p).

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 22-0185, under Order No. 22114-00001-US1.

Dated: June 15, 2007

Respectfully submitted,

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